

Patentability of the Claims

Claim 1 has been substantially amended to now call for an automatic analyzer for automatically analyzing samples wherein the analyzer includes a sample loading section for loading sample racks containing sample holding vessels, analysis units for analyzing samples in the sample vessels, transport lines for transporting the sample racks from the sample loading section to the analysis units and a display section for displaying on a screen a flow of plural setup operation steps used for starting up the automatic analyzer. The display section further displays modules of the automatic analyzer on the same screen. A control section is provided for controlling the display section to display the setup operation step or steps requiring a setup operation by an operator with a displaying manner different from a displaying manner of another setup operation step or steps not requiring a setup operation by an operator. The control section further controls the display section to display an analysis unit requiring setup operation by an operator with a displaying manner different from a displaying manner of analysis units not requiring setup operation by an operator.

Accordingly, claim 1 now calls for displaying the setup operation step or steps requiring a setup operation by an operator and also to display an analysis unit requiring setup operation by an operator. The operation steps and the analysis unit requiring setup operation by an operator are displayed in a manner different from other steps and other analysis units not requiring setup operation by an operator.

Applicants invention is very useful for an inexperienced operator when first starting up the automatic analyzer.

It is submitted that Applicants' invention as now claimed is not taught by Mimura et al. or any other prior art of which Applicants are aware.

While Mimura et al. is directed to an automatic analyzer for analyzing components of a biological sample and a support system therefor, it essentially relates to effective operation and management of calibration and accuracy management in the automatic analyzer. The analyzer of Mimura et al. is intended to notify an operator of the necessity of the execution of calibration or accuracy management in each of a plurality of analytical units and then allowing each analytical unit to accurately execute calibration or accuracy management. In Mimura et al., during operation of the analyzer, when a state requiring accuracy management for the analyzer occurs, an instruction is given for executing the calibration or accuracy management. As noted by the Examiner, a display block flickers when calibration or accuracy management is required.

Applicants' invention as now claimed, however, is directed to the operation steps necessary in a particular module for starting up the automatic analyzer. This is different from Mimura et al., which relates to executing calibration or accuracy management during operation of the analyzer after start up. As noted in lines 7-11 on page 14, in accordance with the operation guidance in the system overview screen, an operator performs setup work with respect to matters which are displayed in different colors on buttons successively rightwards from one displayed on a left side

of the screen. As further noted in lines 9-14 on page 15 of the specification, an operator is informed of the required steps by relying upon colored indications of individual buttons in an operation guidance section displayed on a system overview screen in an analysis operating unit and successively proceeding with setup work for an analysis operation in accordance with the button instructions from a left side to a right side on the screen.

It is submitted that claim 1, as now amended, patentably distinguishes over Mimura et al. Remaining dependent claims 2-8 are submitted to be patentable for the reasons advanced with respect to independent claim 1 as well as for the additional limitations set forth in each of the claims. In this regard, it is noted that the Examiner broadly stated that claims 1-9 were rejected as anticipated by Mimura et al. but then only specifically mentioned claims 1, 2, 7 and 9 on page 6 of the action and did not make any particular mention with respect to dependent claims 3, 4, 5, 6 and 8.

Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. KAS-185).

Respectfully submitted,

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Attachments:

Annotated Sheet
Replacement Sheet